

Remarks

The Office Action cites M.P.E.P. § 806.05(f) and supports the Restriction Requirement by stating, “In the instant case, the device can be fabricated with different method other than the method recited in group I or vice versa. For example, instead of forming a terminal pad first and then forming an insulative mask over a surface of the sheet of insulative material (claim 10), the insulative mask can be formed first and then forming a terminal pad after forming the insulative mask.” Office Action, Page 2.

Applicant traverses the restriction requirement because Applicant respectfully asserts that the actions recited in independent claim 10 are not specified as occurring in a particular order or timing with respect to any other actions recited therein. More specifically, Applicant points out that the language found in independent claim 10 refers to positional relationships between the sheet, insulative mask, terminal pad, and bond pad layer rather than any order of occurrence of the actions recited therein.

Accordingly, Applicant does not acquiesce to the statements made in the restriction requirement that characterize any actions recited in independent claim 10 as occurring in a specified order or timing with respect to any other actions recited therein.

Applicant respectfully asserts that the proposed different method of forming the insulative mask first and then forming a terminal pad after forming the insulative mask is encompassed by the scope of independent claim 10. Additionally, Applicant respectfully asserts that the method purportedly exemplifying independent claim 10 of forming a terminal pad first and then forming an insulative mask over a surface of the sheet of insulative material is also encompassed by the scope of independent claim 10. Therefore, Applicants respectfully asserts that since both of the methods cited in support of the restriction requirement are encompassed by the scope of independent claim 10, neither method is materially different from the claimed method.

Accordingly, Applicant respectfully asserts that the methods cited in support of the restriction requirement are both actually encompassed by the scope of independent claim 10. Accordingly, the restriction requirement is improper, since the method cited as a “different” method is actually encompassed by the scope of the claimed method and, therefore, the claimed method (claims 10-18) is not patentably distinct from the claimed apparatuses (claims 1-9).

Applicant respectfully requests reconsideration and withdrawal of the restriction requirement and an action on the merits with respect to claims 1-18.

Please Note Information Disclosure Statement

Applicant wishes to draw the Examiner's attention to the Information Disclosure Statement filed with the Office on March 12, 2004, and respectfully requests that the documents or other information referenced therein be made of record in the present application and that an initialed copy of the PTO-1449 form be returned to the undersigned attorney evidencing same.

Should any of the documents, or portions thereof, be unavailable to the Examiner for any reason, please contact the undersigned attorney, who will supply same immediately by facsimile or other suitable method of delivery.

An early Office Action on the merits is respectfully solicited.

Respectfully submitted,



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